

**Agency Legislative Budget**

The following table summarizes the total legislative budget for the agency by year, type of expenditure, and source of funding. Also included in the table is House Bill 447 pay plan allocation.

Agency Legislative Budget								
Budget Item	Base Budget Fiscal 2004	PL Base Adjustment Fiscal 2006	New Proposals Fiscal 2006	Total Leg. Budget Fiscal 2006	PL Base Adjustment Fiscal 2007	New Proposals Fiscal 2007	Total Leg. Budget Fiscal 2007	Total Leg. Budget Fiscal 06-07
FTE	19.00	0.00	1.00	20.00	0.00	1.00	20.00	20.00
Personal Services	817,872	109,114	77,949	1,004,935	108,994	122,176	1,049,042	2,053,977
Operating Expenses	482,394	25,734	18,202	526,330	23,101	16,402	521,897	1,048,227
Equipment	15,766	0	0	15,766	0	0	15,766	31,532
Grants	9,203,830	0	4,680,897	13,884,727	0	4,682,697	13,886,527	27,771,254
<b>Total Costs</b>	<b>\$10,519,862</b>	<b>\$134,848</b>	<b>\$4,777,048</b>	<b>\$15,431,758</b>	<b>\$132,095</b>	<b>\$4,821,275</b>	<b>\$15,473,232</b>	<b>\$30,904,990</b>
General Fund	1,623,752	96,420	20,008	1,740,180	93,673	51,301	1,768,726	3,508,906
State/Other Special	0	0	93,483	93,483	0	93,483	93,483	186,966
Federal Special	8,896,110	38,428	4,663,557	13,598,095	38,422	4,676,491	13,611,023	27,209,118
<b>Total Funds</b>	<b>\$10,519,862</b>	<b>\$134,848</b>	<b>\$4,777,048</b>	<b>\$15,431,758</b>	<b>\$132,095</b>	<b>\$4,821,275</b>	<b>\$15,473,232</b>	<b>\$30,904,990</b>

**Agency Description**

The Montana Board of Crime Control (MBCC) Division was established to promote public safety by strengthening the coordination and performance of the criminal and juvenile justice systems. The MBCC is an 18-member board appointed by the Governor. The MBCC supervises the Crime Control Division (CCD), which provides financial support, technical assistance, and support services to state and local criminal justice agencies. The CCD administers federal anti-drug and anti-crime grants, certifies peace officers and others in the criminal justice system, and provides funding for juvenile justice programs. In addition, CCD collects and analyzes crime data from Montana's law enforcement agencies and publishes the annual "Crime in Montana" report. MBCC is established in law by 2-15-2006, MCA.

The MBCC has two advisory councils: the Peace Officers Standards and Training Council (POST) and the Youth Justice Council (YJC). POST provides training, certification and other services to law enforcement officers and other public safety personnel. POST provides assistance and advice to law enforcement agencies, training academies, local county and city governments, and state agencies. POST also administers the contracts with the Regional Juvenile Detention Grant Program. YJC develops and implements the state's juvenile justice plan, recommends effective educational, training, research, prevention, diversion, treatment and rehabilitation programs. YJC also reviews and approves grant-funding proposals under the Juvenile Justice and Delinquency Act. The MBCC has two task forces: the Crime Reporting and Technology Task Force and the Drug Strategy Task Force.

**Agency Highlights**

<b>Crime Control Division</b> <b>Major Budget Highlights</b>	
♦	The increase in general fund over the base budget is due primarily to statewide adjustments
♦	The increase of \$187,000 in state special revenue over the base budget is due to funding provided to support grants for domestic violence intervention programs
♦	The increase in federal funds of \$9.4 million over the base budget is due primarily to an increase in homeland security projects that included 1.00 FTE for a federal grant administrator

### Summary of Legislative Action

The legislature added present law adjustments of \$135,000 in FY 2006 and \$133,000 in FY 2007, mostly due to statewide present law adjustments and funding for POST revocation hearings. The legislature added 1.00 FTE and \$4.8 million in new proposals in each fiscal year of the 2007 biennium. The primary reasons for this increase are:

- Pay plan increases as provided by HB 447
- Federal funding of \$4.7 million for each fiscal year for homeland security law enforcement terrorism prevention
- State special revenue of \$0.1 million for each fiscal year for grants for the domestic violence intervention program as per the provisions of HB 476

### Other Legislation

House Bill 476 – This bill provides for an increase of \$13.00 to the fee for a marriage license and the filing fee for a declaration of marriage without solemnization. This additional fee will be placed in a state special revenue account for use in funding grants for the domestic violence intervention program.

### Executive Budget Comparison

The following table compares the legislative budget for the 2007 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2004	Executive Budget Fiscal 2006	Legislative Budget Fiscal 2006	Leg – Exec. Difference Fiscal 2006	Executive Budget Fiscal 2007	Legislative Budget Fiscal 2007	Leg – Exec. Difference Fiscal 2007	Biennium Difference Fiscal 06-07
FTE	19.00	21.00	20.00	(1.00)	21.00	20.00	(1.00)	
Personal Services	817,872	1,026,498	1,004,935	(21,563)	1,026,104	1,049,042	22,938	1,375
Operating Expenses	482,394	567,226	526,330	(40,896)	562,930	521,897	(41,033)	(81,929)
Equipment	15,766	15,766	15,766	0	15,766	15,766	0	0
Grants	9,203,830	13,800,592	13,884,727	84,135	13,802,392	13,886,527	84,135	168,270
<b>Total Costs</b>	<b>\$10,519,862</b>	<b>\$15,410,082</b>	<b>\$15,431,758</b>	<b>\$21,676</b>	<b>\$15,407,192</b>	<b>\$15,473,232</b>	<b>\$66,040</b>	<b>\$87,716</b>
General Fund	1,623,752	1,720,172	1,740,180	20,008	1,717,425	1,768,726	51,301	71,309
State/Other Special	0	0	93,483	93,483	0	93,483	93,483	186,966
Federal Special	8,896,110	13,689,910	13,598,095	(91,815)	13,689,767	13,611,023	(78,744)	(170,559)
<b>Total Funds</b>	<b>\$10,519,862</b>	<b>\$15,410,082</b>	<b>\$15,431,758</b>	<b>\$21,676</b>	<b>\$15,407,192</b>	<b>\$15,473,232</b>	<b>\$66,040</b>	<b>\$87,716</b>

The executive asked the legislature not to take action on a decision package that requested federal funds for a drug court coordinator in the amount of \$100,000 in each year of the biennium. This reduction was offset by an increase in state special revenue of \$93,483 in each year of the biennium to support grants for a domestic violence intervention program as provided in HB 476 and for pay plan increases as provided by HB 447.

### Funding

The following table summarizes funding for the agency, by program and source, as adopted by legislature.

Total Agency Funding 2007 Biennium Legislative Budget					
Agency Program	General Fund	State Spec.	Fed Spec.	Grand Total	Total %
01 Justice System Support Service	\$ 3,508,906	\$ 186,966	\$ 27,209,118	\$ 30,904,990	100.00%
Grand Total	\$ 3,508,906	\$ 186,966	\$ 27,209,118	\$ 30,904,990	100.00%

General fund is used to support: 1) the Youth Detention Services Grant Program; 2) operation of the Peace Officer Standards and Training Program; 3) the Montana Uniform Crime Reporting System; 4) general agency administration; 5) technical assistance to local law enforcement; and 6) state matching funds for the administration of the Juvenile Justice, Juvenile Accountability, Title V Juvenile Drug Enforcement, Stop Violence Against Women, Residential Substance Abuse Treatment, and Criminal History Record Improvement federal grant programs.

General fund match is required for administrative costs and varies as follows: 1) 10 percent for the Juvenile Accountability grants; 2) 25 percent for the Drug Enforcement grant; 3) 50 percent for juvenile planning; 4) 25 percent for Violence Against Women; 5) 33.33 percent for Title V Juvenile Drug Enforcement; 6) 10 percent for Criminal History Record Improvement; and 7) 25 percent for Residential Substance Abuse Treatment.

Federal funds are primarily used for pass-through grant programs. However, federal funding is also used for administration of the Juvenile Justice, Juvenile Accountability, Drug Education, Victim assistance, Stop Violence Against Women, Enforce Underage Drinking Laws, Computer Crime Unit, Substance Abuse Treatment, and Drug Enforcement federal grant programs.

Figure 1 shows the pass-through grants and benefits for fiscal 2004 through the 2007 biennium.

Figure 1 Pass Through Grants & Benefits for the 2007 Biennium			
	FY 2004 Actuals	FY 2006 Requested	FY 2007 Requested
<u>General Fund</u>			
Juvenile Detention Centers	\$904,560	\$904,560	\$904,560
<u>State Special Revenue</u>			
Domestic Violence Intervention	-	84,135	84,135
<u>Federal Fund</u>			
Homeland Security - LETP	-	4,596,762	4,598,562
Drug Free Schools	444,756	444,756	444,756
Victim Assistance	1,433,679	1,433,679	1,433,679
Juvenile Delinquency Prevention	-	-	-
Criminal History Records Improvement	703,112	703,112	703,112
Violence Against Women	851,243	851,243	851,243
Drug Enforcement	2,465,480	2,465,480	2,465,480
Juvenile Justice	619,262	619,262	619,262
Substance Abuse Treatment	416,399	416,399	416,399
Law Enforcement Assistance	213,521	213,521	213,521
Juvenile Accountability Incentive	809,818	809,818	809,818
Enforce Underage Drinking Laws	342,000	342,000	342,000
Subtotal - Federal Fund	\$8,299,270	\$12,896,032	\$12,897,832
Total Grants & Benefits	\$9,203,830	\$13,884,727	\$13,886,527

**Present Law Adjustments**

The "Present Law Adjustments" table shows the primary changes to the adjusted base budget made by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Legislative decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments										
-----Fiscal 2006-----						-----Fiscal 2007-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					109,114					108,994
Inflation/Deflation					(1,337)					(1,287)
Fixed Costs					14,811					15,060
<b>Total Statewide Present Law Adjustments</b>					<b>\$122,588</b>					<b>\$122,767</b>
DP 1 - POST Revocation Hearings	0.00	12,260	0	0	12,260	0.00	9,328	0	0	9,328
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$12,260</b>	<b>\$0</b>	<b>\$0</b>	<b>\$12,260</b>	<b>0.00</b>	<b>\$9,328</b>	<b>\$0</b>	<b>\$0</b>	<b>\$9,328</b>
<b>Grand Total All Present Law Adjustments</b>					<b>\$134,848</b>					<b>\$132,095</b>

DP 1 - POST Revocation Hearings - The legislature approved general fund to pay the Legal Service Division of the Department of Justice for legal services. Legal services are required to defend the department in lawsuits that arise due to the department's decertification of peace officers. Certification and decertification of peace officers is a function of the state. Occasionally the Montana Board of Crime Control is sued when it decertifies a peace officer for violations of state policy.

**New Proposals**

New Proposals										
-----Fiscal 2006-----						-----Fiscal 2007-----				
Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 3 - Homeland Security - Law Enforcement Terrorism Prev										
01	1.00	0	0	4,655,372	4,655,372	1.00	0	0	4,655,235	4,655,235
DP 301 - Domestic Violence Intervention Prog.										
01	0.00	0	93,483	0	93,483	0.00	0	93,483	0	93,483
DP 6010 - 2007 Biennium Pay Plan - HB 477										
01	0.00	20,008	0	8,185	28,193	0.00	51,301	0	21,256	72,557
<b>Total</b>	<b>1.00</b>	<b>\$20,008</b>	<b>\$93,483</b>	<b>\$4,663,557</b>	<b>\$4,777,048</b>	<b>1.00</b>	<b>\$51,301</b>	<b>\$93,483</b>	<b>\$4,676,491</b>	<b>\$4,821,275</b>

DP 3 - Homeland Security - Law Enforcement Terrorism Prevention - The legislature approved biennial authority to expend \$4,655,372 in FY 2006 and \$4,655,235 in FY 2007 of federal grant funding that is expected to be received from the U.S. Department of Homeland Security, Office of Domestic Preparedness. This grant will cover costs to operate the program and hire 1.00 FTE. The FTE will be a program specialist in charge of administering this grant program. Administrative funds from this grant are expected to be \$58,238 in FY 2006 and \$56,438 in FY 2007.

DP 301 - Domestic Violence Intervention Program - The legislature approved state special revenue of \$93,483 in each fiscal year of the biennium to fund grants for a domestic violence intervention program. This funding is from a fee on marriage licenses.

DP 6010 - 2007 Biennium Pay Plan - HB 477 - The legislature passed a pay plan in HB 447 that provides an additional 3.5 percent (or \$1,005, whichever is greater) in FY 2006 and an additional 4.0 percent (or \$1,188, whichever is greater) in FY 2007, as well as \$46 per month in insurance contributions in calendar 2006 and an additional \$51 per month in calendar 2007. These amounts represent the program's allocation of costs to fund this pay plan.

**Language**

The legislature approved the following language for inclusion in HB2:

The Board of Crime Control administers several federal pass-through grants that have authority for three-years, on a federal fiscal year basis which begins on October 1 and ends on the following September 30. To provide continuing authority for the pass-through grants, these grants are biennial appropriations and the following language allows prior biennium grant authority to continue into the 2007 biennium.

“All remaining federal pass-through grants appropriations, including reversion, for the 2005 biennium are authorized to continue and are appropriated in fiscal year 2006 and fiscal year 2007.”